



REPORTING OF THE RECORD TASK FORCE

Meeting Minutes

January 15 – 17, 2003

Administrative Office of the Courts

455 Golden Gate Avenue, San Francisco, CA 94102

TASK FORCE MEMBERS PRESENT:

Hon. James A. Ardaiz, Chair, Administrative Presiding
Justice of the Court of Appeal, Fifth Appellate District
Hon. S. William Abel, Presiding Judge, Superior Court
of Colusa County
Ms. Maura Baldocchi, CSR, Official Court Reporter,
Superior Court of San Francisco County
Mr. Ron D. Barrow, Clerk of the Court, Court of
Appeal, First Appellate District
Mr. Gary M. Cramer, CSR, Official Court Reporter,
Superior Court of Los Angeles County
Mr. Edward J. Horowitz, Esq., Law Offices of
Edward J. Horowitz
Mr. Len LeTellier, Executive Officer, Superior Court of
Sutter County
Mr. Gary Evan McCurdy, Esq., Assistant Director,
Central California Appellate Program
Ms. Jeanne Millsaps, Executive Officer, Superior Court
of San Joaquin County
Mr. Gordon Park-Li, Executive Officer, Superior Court
of San Francisco County
Ms. Kary Parker, CSR, Official Court Reporter, Superior
Court of Orange County
Mr. Tom Pringle, CSR, Official Court Reporter,
Superior Court of Shasta County
Mr. Paul J. Runyon, Administrator, Litigation Support,
Superior Court of Los Angeles County
Mr. Alan Slater, Chief Executive Officer, Superior Court
of Orange County
Ms. Fiel Tigno, Esq., Supervising Deputy
Attorney General, Office of the Attorney General,
Department of Justice

TASK FORCE MEMBERS ABSENT:

Hon. John S. Einhorn, Assistant Presiding Judge,
Superior Court of San Diego County
Ms. Barbara J. Lane, CSR, Supervisor, Court Reporters,
Superior Court of Riverside County

TASK FORCE LIAISON:

Ms. Julie R. Peak, CSR, Chair, Court Reporters Board of
California **(Present)**

PRESENTERS:

Mr. Jeff Cobb, Regional Manager, Stenograph, L.L.C.
Ms. Terri Wilson, District Manager, Stenograph, L.L.C.
Mr. Jack Masters, Vice President of Marketing, Sales and
Board Officer, Cheetah, Intl.
Ms. Laurie Wilson, National Sales Director, Cheetah, Intl.
Mr. Lee Armitage, Technical Support Engineer,
Cheetah, Intl.
Mr. Hal Marcus, Esq., Vice-President, Sales and Business
Development, LiveNote

GUESTS:

None

FACILITATOR:

Ms. Sharon Maher, Maher & Company **(Present)**

AOC STAFF PRESENT:

Ms. Pat Sweeten, Director, Executive Office Programs
Division
Ms. Christine E. Patton, Regional Director, Bay
Area/Northern Coastal Region
Ms. Sally Lee, Manager, Executive Office Programs
Division
Ms. Claudia Ortega, Lead Staff, Court Services
Analyst, Executive Office Programs Division
Ms. Emily Flynn, Attorney, Office of the General
Counsel
Mr. Martin Riley, Governmental Affairs Analyst, Office
of Governmental Affairs
Ms. Deborah Silva, Administrative Coordinator,
Executive Office Programs Division

AOC STAFF ABSENT:

None

Meeting Minutes

Wednesday, January 15, 2003

Item 1 Opening Remarks

Administrative Presiding Justice James A. Ardaiz, Chair of the Reporting of the Record Task Force, called the meeting to order at 1:35 p.m.

Item 2 Public Comment

Members of the public did not address the task force on this day.

Item 3 Report on the Meeting with Some Task Force Members to Discuss the Chief Justice's Remarks Concerning Transcript Ownership and Electronic Recording/Impact of the State's Fiscal Crisis Upon the Task Force's Work

Justice Ardaiz began the meeting by discussing the state's budget crises and its impact on the trial courts. He informed the members that in December 2002, Chief Justice Ronald M. George stated to the press that the Judicial Council would explore the expanded use of electronic recording and court ownership of the transcript as potential cost saving measures. Justice Ardaiz reported that immediately following the publication of various newspaper articles containing these remarks, a meeting was called with the court reporter members of the task force. This meeting took place on December 19, 2002. Its purpose was to clarify and discuss the Chief Justice's comments. The task force members in attendance were: Justice Ardaiz; Presiding Judge S. William Abel; Ms. Maura Baldocchi; Mr. Gary M. Cramer; Ms. Barbara J. Lane; Ms. Jeanne Millsaps; Ms. Julie R. Peak; Mr. Tom Pringle; and Mr. Paul J. Runyon. The task force staff in attendance were: Ms. Pat Sweeten; Ms. Christine E. Patton; Ms. Sally Lee; Ms. Emily Flynn; Mr. Martin Riley; and Ms. Claudia Ortega. Task force member Ms. Kary Parker was unable to attend due to flight delays. In this meeting, Justice Ardaiz asked the court reporter members to select leadership from the California Court Reporters Association, California Official Court Reporters Association, Service Employees International Union, and American Federation of State, County and Municipal Employees to represent the profession at future meetings to discuss the electronic recording and transcript ownership issues. The court reporter members agreed to do so. Justice Ardaiz informed the task force that the first such meeting would take place on January 31, 2003.

Justice Ardaiz also informed the task force membership that the Governor's 2003-2004 budget specifies an overall decrease of \$5.2 million and a General Fund decrease of \$301.2 million from the revised 2002-2003 budget. Specifically, the Governor's 2003-2004 budget identifies General Fund savings of \$31 million with the implementation of electronic recording and General Fund savings of \$5.5 million related to court ownership of court reporting transcripts

as a result of implementing electronic recording. Justice Ardaiz stated that it was his belief that the total \$36.5 million line item reduction would equate to the lay off of approximately 400 official court reporters if the use of electronic recording was not expanded.

Justice Ardaiz stressed to the membership that it remains a top priority to avoid job losses. He reiterated the importance of the court reporting profession's leadership to continue to work with the council to find resolution to these issues.

Ms. Maura Baldocchi expressed her disappointment with the Chief Justice's comments and Justice Ardaiz responded.

Item 4 Task Force Status Review

Within the context of the former discussion, Justice Ardaiz touched upon this agenda item. He emphasized that the task force continuing its work on the other seven issues of the charge will assist in the discussions with the court reporters' leadership. He also explained that if the Legislature approves the expanded use of electronic reporting and court ownership of the transcript, the task force would most likely be called upon to assist in the development of implementing policy.

Item 5 Differentiation of the Transcript Format

Ms. Sharon Maher recapped the accomplishments of the December 2002 task force meeting.

Mr. Cramer asked whether the transcript format decisions being made by the task force should apply to the rough draft as well. The task force agreed to "park" (refer for discussion at a later point) the issue of the rough draft's format.

The task force then began the discussion of transcript uniformity by addressing pagination and volume. The task force engaged in a lengthy discussion of the advantages and disadvantages of one day, one volume, including the impact upon electronic delivery. The task force also discussed the best manner in which to identify the volumes (e.g., by number or date). The task force made no decisions as to pagination and volume on this day.

Item 6 Draft Minutes

Mr. Cramer proposed the draft December 2002 meeting minutes be amended so that page 3, Item 6 ("Web site Correspondence to the Task Force"), 1st sentence would read: "Ms. Claudia Ortega reported that only two e-mails have been received ~~by~~ from the public via the task force Web site – one request to be placed on a mailing list for the agenda and a hotel's inquiry as to our meeting needs."

Mr. Cramer also requested that the same minutes be amended so that page 3, Item 7 (“The Distinction Between Producers of the Record and Contributors to the Record”), 2nd paragraph, 1st sentence would read: “This discussion then led to the task force identifying, for clarification purposes, the primary functions of the other professions, which ~~report~~ produce the record.”

Motion by Justice Ardaiz: That the draft minutes of the December 2002 meeting be approved with the amendments proposed by Mr. Cramer.

- First: Mr. Ron D. Barrow; Second: Hon. S. William Abel
- Passed with no opposing votes by the task force.

Item 7 Web site Correspondence to the Task Force

Ms. Claudia Ortega directed the task force’s attention to the e-mail correspondence for its review. The task force elected not to respond to the e-mail correspondence.

Item 8 Other Business/Adjournment

With no further business, Justice Ardaiz adjourned the meeting at approximately 5:30 p.m.

Meeting Minutes Thursday, January 16, 2003

Item 1 Recap of the Previous Day’s Discussion

Justice Ardaiz called the meeting to order at 8:55 a.m. and briefly summarized the previous day’s discussion.

Item 2 Public Comment

Ms. Mary Ann Lutz, the owner of Lutz & Company, Inc., an electronic reporting firm based in Los Angeles, addressed the task force. Ms. Lutz shared that the federal courts require the transcripts be organized by one day, one volume. She discussed the courts guidelines as to the format and organization of the transcript. In response to inquiries by the task force, Ms. Lutz agreed to provide the task force with copies of these guidelines. The task force thanked Ms. Lutz for the information she conveyed.

Item 3 Presentations by Vendors of Stenographic Court Reporting Hardware and Software

Ms. Ortega informed the task force that the presentations were expected to provide the task force with clear demonstrations of the various tools used by the court reporting profession so that the task force, as a whole, would have a clearer understanding of stenographic court reporting.

Stenograph, L.L.C.

Presenters:

- *Mr. Jeff Cobb*, Regional Manager
- *Ms. Terri Wilson*, District Manager

Mr. Jeff Cobb and Ms. Terri Wilson demonstrated their company's products to the task force. Specifically, they provided an in-depth discussion and demonstration of writing machines, CaseView, and Stenograph University. The presenters answered task force questions concerning usability, cost, and maintenance.

Cheetah, Intl.

Presenters:

- *Mr. Jack Masters*, Vice President of Marketing and Sales and Board Officer
- *Ms. Laurie Wilson*, National Sales Director
- *Mr. Lee Armitage*, Technical Support Engineer

Mr. Jack Masters, Ms. Laurie Wilson, and Mr. Lee Armitage demonstrated the company's software to the task force. The presenters answered task force questions concerning usability, cost, and maintenance.

LiveNote

Presenter: *Mr. Hal Marcus, Esq.*, Vice President, Sales and Business Development

Mr. Hal Marcus demonstrated how LiveNote interfaces with realtime reporting and answered task force questions concerning usability, cost, and maintenance.

Debrief

After the presentations were completed, the task force took an opportunity to debrief. Some members of the task force questioned whether they were also responsible for assessing whether or not to purchase the demonstrated equipment and software. Justice Ardaiz clarified to the task force that the purpose of the presentations was to simply educate the task force about stenographic reporting and it was *not* to evaluate the purchase of any equipment or software.

Mr. Cramer and Ms. Baldocchi suggested that RealLegal, a company specializing in online delivery and storage of the transcript, present at the next task force meeting. Ms. Baldocchi suggested that Courtroom Connect, a company specializing in wireless internet access, also present.

Item 4 Differentiation of the Transcript Format (Continued)

The task force resumed its discussion of pagination and volume. After extensive discussion and reference to other models, the task force agreed upon the following, preliminary standard regarding pagination and volume:

One volume of transcript must be equal to one day of court proceedings.
Each volume must begin with Page 1.

The issues of how to identify volumes and what page is actually “Page 1” were “parked” (referred for discussion at a later point).

Item 5 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 5:30 p.m.

Meeting Minutes Friday, January 17, 2003

Item 1 Recap of the Previous Day’s Discussion

Justice Ardaiz called the meeting to order at 8:45 a.m. and briefly summarized the previous day’s discussion.

Item 2 Public Comment

Members of the public did not address the task force on this day.

Item 3 Materials and Tools Used for Production of the Record

Ms. Maher facilitated a task force discussion on the specific materials and tools currently used to produce the record. The task force divided into small discussion groups to address discussion questions and then reconvened to report back to the whole. The task force developed a working list of the primary hardware, software, and supplies used to produce the record.

Item 4 Supplement to the Task Force’s Compilation of Relevant Law

Staff distributed copies of the Supplement to the Compilation of Relevant Law. Ms. Emily Flynn explained that this document incorporated recently amended law and was for the task force’s use.

Item 5 Differentiation of the Transcript Format (Continued)

The task force resumed its discussion of pagination and volume. It agreed to “park” (refer for later discussion) three issues: the manner in which to identify volumes (e.g., by number or by date); the page that will be considered “page 1”; and the posting of the entire day’s transcripts by litigants (as requested by Mr. Cramer).

Item 6 Accomplishments of the Task Force to Date and Future Direction

Justice Ardaiz briefly summarized the decision to date concerning pagination and volume, and thanked the task force for its continued work toward completion of the charge.

Item 7 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at approximately 12:00 p.m.